

38-7-2 Notice of lien required -- Filing with district court -- Mailing to injured person, heirs or legal representative, and insurance carrier.

A hospital lien upon damages recovered or to be recovered for personal injuries or death shall be effective if:

- (1) a verified written notice is filed in the district court of the county in which the hospital asserting the lien is located containing:
 - (a) an itemized statement of the services rendered to the injured person and the dates of the services;
 - (b) the name and address of the hospital making the claim;
 - (c) the name of the person, firm, or corporation alleged to be liable to the injured party for the injuries and damages sustained; and
 - (d) the full name and address of the injured person;
- (2) the hospital sends by certified mail with return receipt requested, prior to the payment of any money to the injured person or his attorney or heirs or legal representatives as compensation for the injuries and/or damages sustained, a copy of the written notice, together with a statement of the date of filing, to the person, firm, or corporation alleged to be liable to the injured party for the injuries and/or damages sustained; and
- (3) the hospital mails a copy of the written notice by certified mail with return receipt requested to the home office of any insurance carrier that has insured the person, firm, or corporation against liability, if the name and address is known.

Amended by Chapter 167, 1996 General Session